Rights of Prisoners': Case study of Jails of Agra District and Prayagraj District of Uttar Pradesh

Synopsis

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INTRODUCTION

The liberty of a person is universally regarded as one of the most cherished rights for all individuals. However, under specific circumstances, judicial authorities may deem it necessary to temporarily deprive certain individuals of this right as a consequence of their actions or accusations. In such cases, these individuals are handed over to the care of the prison administration and are referred to as prisoners'. The essence of imprisonment lies in the deprivation of liberty, and it is the responsibility of prison authorities to ensure that this deprivation is no more restrictive than absolutely necessary. Ideally, the role of prison authorities should focus solely on the implementation of this deprivation and not on imposing additional deprivations on those in their care. Unfortunately, due to malfunctioning and malpractices within prison institutions, the severity of prisoners' punishment is often exacerbated, leading to a violation of their rights.

According to Mahatma Gandhi, "Crime is the outcome of a diseased mind and jail must have an environment of hospital for treatment and care" (Permanent Mission of India; MEA, 2020). The wisdom expressed by Gandhi ji holds true. In India, being a democratic nation, the Constitution has enshrined fundamental rights that extend to prisoners' and detainees as well.

In the case of *A.P. Challa Ramkrishna Reddy, AIR 2000 SC 2083*, the court asserted that a prisoner is entitled to all fundamental rights unless their liberty has been constitutionally restricted. The Supreme Court emphasized that regardless of being a convict, under trial, or detenu, a prisoner remains a human being and, during their incarceration, continues to enjoy all fundamental rights guaranteed by the Constitution of India, including the right to life (*A.P. Challa Ramkrishna Reddy, AIR 2000 SC 2083).*

In the matter of *State of Maharashtra v. Prabhakar Pandurang Sanzgir, 1966*, the Supreme Court declared that the mere act of detention does not negate an individual's fundamental rights. It underscored that such constraints should not extend to the point of depriving the detained person of their fundamental rights. The Court further clarified that every prisoner retains all the rights enjoyed by free citizens, except those necessarily lost as an incident of confinement. Rights, as a concept, encompass fundamental entitlements inherent to every individual, irrespective of their status as a regular citizen or a prisoner. These rights are essential for fostering the comprehensive development

of human personality and contributing to overall human happiness. Human rights are based on the principle that every person is inherently deserving of these rights without discrimination based on factors such as caste, religion, race, or nationality. They are considered fundamental rights when protected within a written constitution, serving as the foundational law of a state (*1966 AIR 424, 1966 SCR (1) 702).*

Shri D.K. Basu vs. State of West Bengal is a landmark case in Indian jurisprudence that established guidelines to prevent custodial torture and protect the rights of arrested individuals. The case, heard by the Supreme Court of India in 1996, emphasized the importance of human dignity and laid down specific directives, known as the "D.K. Basu guidelines," to be followed by law enforcement agencies during arrests. These guidelines include the right to be informed of the grounds of arrest, the right to legal representation, and the requirement of a medical examination after arrest. The case underscored the need to safeguard individuals from police excesses and contributed significantly to the protection of human rights in the context of custodial detention in India (*Shri D.K. Basu vs. State of West Bengal).*

Part III of the Indian Constitution, comprising of Articles 12 to 35, guarantees fundamental rights that are judicially enforceable. These rights include equality, liberty, and protection against oppression, religious freedom, and constitutional remedies. Article 21, in particular, safeguards the right to life and personal freedom, prohibiting inhuman, cruel, or degrading treatment of any citizen, regardless of nationality. The Supreme Court has played a crucial role in interpreting and implementing these constitutional provisions to protect the human dignity of prisoners'. While the Constitution does not explicitly address the rights of prisoners', the Supreme Court has extended its interpretation to encompass these individuals within the framework of fundamental rights. Articles 14, 19, 20, 21, and 22 of Part III, along with Articles 38, 39, 39A, and 42 of Part IV, are cited to highlight specific constitutional rights applicable to prisoners' (Constituent Assembly of India, 2020). The overarching principle is that an inmate does not forfeit their status as a human being upon incarceration and retains all the rights enjoyed by a free individual, albeit with certain restrictions. The jurisprudence established by the Supreme Court reinforces the imperative of upholding human rights and ensuring the dignity of prisoners' in the Indian legal system.

Crucially, human rights are indivisible and interdependent, precluding the existence of distinct categories of rights. All human rights possess equal importance and are inherent to every human being simply by virtue of their humanity. Historically, the defence of human rights can be traced through pivotal documents such as the Magna Carta of 1215, the English Bill of Rights (1689), and the U.S. Bill of Rights (1791). These documents marked significant milestones in the struggle for individual rights and protection against arbitrary actions of authorities. The French Declaration of the Rights of Man and the Individual in 1789 further propelled the global expression of human rights. The Human Rights Act of 1993 in India provides a comprehensive elucidation of human rights, encompassing entitlements related to life, liberty, equality, and dignity. Human rights are not just abstract ideals; they are tangible entitlements enforceable through the judicial system. They are unique, inalienable moral entitlements that apply universally to all individuals, transcending distinctions of race, nationality, or social groups. Human rights are indivisible and interdependent, and all rights possess equal importance inherent to every human being. The concept of human rights as fundamental is at the core of international human rights law, reiterated in various international conferences, treaties, and resolutions since the Universal Declaration on Human Rights in 1948. The defence of human rights gained prominence in the 20th century, with the establishment of international legal systems for minority protection following World War I. The atrocities of World War II led to a global commitment to universal human rights protection, culminating in the International Bill of Human Rights (Sutto, 2019).

The prison system holds a unique position in society, unlike other organizations that compete for economic resources or the loyalty of group members. It operates as a closed or protected system, isolated from direct scrutiny by members of the larger society. This isolation is intended to prevent criminals from committing further crimes during a specified period, satisfy societal desires for retribution, and contribute to reducing crime rates by deterring potential offenders. However, the prison system's non-competitive nature and relative protection from outside scrutiny can sometimes lead to abuses and violations of rights.

Notably, during the Mughal rule, prisons were characterized by draconian conditions, marked by maltreatment, torture, and inhumane practices. In this oppressive environment, strict adherence to

sentences by prison officials was mandatory, contributing to a culture of fear and brutality within the penal system. The evolution of Indian prisons over time mirrors shifts in societal reactions to crime. The penal system encompasses a complex amalgamation of diverse objectives, wherein incarceration can function as a deterrent, a form of punishment or revenge, or a means of making the offender's life arduous. Solitary confinement serves the preventive purpose of punishment, limiting the capacity of prisoners' to commit crimes while in custody. Furthermore, imprisonment acts as a mechanism for crime control by removing offenders from society. Beyond these punitive aspects, prisons also harbour the potential to serve as facilities for the reform and rehabilitation of criminals. The multi-dimensional nature of prisons and their roles in society highlights the on-going discourse on human rights, justice, and societal well-being. The historical context of penal practices underscores the significance of adapting approaches to align with contemporary values, emphasizing rehabilitation, compassion, and respect for the inherent dignity of all individuals, even those within the confines of correctional facilities (Chand, 1985).

The inception of the prison system in India traces back to the early 19th century, marked by Lord Macaulay's influential recommendations. In 1836, responding to Macaulay's urging, the Indian government established a committee to scrutinize the state and administration of jails. Despite the committee's comprehensive report, its suggestions were disregarded, as societal factors like moral and religious instruction, education, and incentive schemes for good behaviour were prioritized over reform. In 1862, the Jail Inquiry Committee was instituted to assess health conditions in Indian prisons. It emphasized the need for adequate food, clothing, and medical care for inmates. The momentum continued in 1877 with the formation of the Third Jail Committee, whose recommendations laid the groundwork for the Prison Act of 1894 in India. During the British rule in 1919-20, the Indian Jails Reform Committee focused on improving prisoner conditions. Originally serving as places of detention for under-trials, prisons confined individuals accused of political offenses, war crimes, debt evasion, or fines. The primary objective was to elicit confessions or collect outstanding debts and fines. Over time, the penitentiary landscape underwent significant transformations with advancements in science and civilization. Post-independence in 1949, the Pakwasa Committee's recommendations were instrumental in shaping a reformative approach. This

approach emphasized utilizing prisoners' for productive work and ensuring fair wages, reflecting a shift towards a more humane and rehabilitative prison system. The transformation of the Indian prison system over the years has been marked by key milestones, beginning with the formation of the All Indian Jail Manual committee by the Government of India in 1957. This committee's recommendations proved instrumental in reshaping the approach to incarceration, leading to a shift from a national to a state list for prisons. Among the notable strategies introduced were rehabilitation measures like parole and probation, aimed at offering reduced punishment and facilitating the reintegration of prisoners' into society. A pivotal moment in the evolution of the Indian prison system occurred in 1980 when Justice A.N. Mulla assumed the role of chairman of the All India Jail Reforms Committee. Under his leadership, the committee advocated for ground-breaking reforms, including the establishment of separate homes for minors and the transfer of mentally ill prisoners' to hospitals.

The proposal to create a National Prison Commission, permit public and media access to jails, and segregate trials from convicted prisoners' also reflected the committee's commitment to overhauling the existing system. Justice V.R. Krishna Iyer's appointment to the National Expert Committee on Women in Custodial Justice by the Government of India further underscored the government's commitment to addressing specific issues within the prison system. These collective efforts laid the foundation for a modern penology that views prisons not merely as holding houses for criminals but as institutions geared towards preparing inmates for their future lives. In the contemporary criminal justice landscape of India, emphasis has shifted from punitive measures to a more rehabilitative and corrective approach. Modern disciplinary methods prioritize the improvement, rectification, and rehabilitation of criminals (Ahmed, 2016). The prison reforms introduced in India in 2016 marked a positive step forward in improving the country's prison system. The Model Prison Manual and innovative state-level programs demonstrated a commitment to providing humane living conditions and rehabilitation opportunities for inmates (MHA; PIB, 2016). However, challenges persist, particularly concerning the treatment of inmates awaiting trial. According to the National Crime Records Bureau (NCRB), **75.8%** of total prisoners' 5, 73,220 are under-trials i.e. 4, 34,302 (PSI, NCRB Report 2022). The issue of under-trial inmates languishing in jails for extended periods, often surpassing the statutory penalties for their alleged crimes, highlights a deep concern. Financial

constraints and an inability to meet bail requirements have resulted in the prolonged detention of the poor, exacerbating the issue of overcrowded prisons. Instances of exorbitant bail amounts have prompted intervention by the Supreme Court to ensure fairness in the justice system. In this context, the role of constitutional rights becomes paramount.

Human rights are indispensable, and in context of prisoners' their violation can occur when prisons primarily serve punitive or deterrent purposes, leading to oppressive atmospheres and severe restrictions on inmates. In modern democratic frameworks, there is a paradigm shift towards treating crimes as psychological disorders, advocating for non-penal approaches in the treatment of offenders. This shift introduces a dynamic to ensure the human rights of prisoners' are respected. India has implemented laws to safeguard the well-being of prisoners'. The issue of overcrowded prisons, with a significant number of under-trial inmates, highlights the need for judicial intervention to ensure fairness in the justice system. The focus has shifted from punitive measures to a more rehabilitative and corrective approach.

The protection of rights is paramount, and the prison system must operate within the framework of these rights. While the deprivation of liberty is a consequence of certain actions, it is essential to ensure that this deprivation is implemented in a manner no more restrictive than necessary. The evolution of the prison system reflects broader societal shifts, emphasizing rehabilitation, compassion, and respect for the inherent dignity of all individuals, even those within the confines of correctional facilities. The role of constitutional rights, judicial interpretation, and on-going reforms are crucial in upholding human rights within the Indian legal system and the global context.

THEORETICAL FRAMEWORK:

Punishment involves the imposition of penalties and the judicial condemnation by the state. Its aim is not solely to induce physical discomfort in the offender but also to make them comprehend the seriousness of their wrongdoing and encourage remorse. An individual is considered to have been punished when some form of pain is imposed upon them.

05 Major Theories of Punishment-

<u>Deterrent Theory</u>

Deterrent punishment aims to dissuade wrongdoing by illustrating the fruitlessness of criminal acts

and educating offenders. This theory asserts that the purpose of punishment is to demonstrate that engaging in crime is unprofitable. The intention is to impose a note-worthy penalty on the wrongdoer, instilling fear and prompting second thoughts before committing any unlawful act. Essentially, it operates on the psychology of fear to discourage criminal behaviour. However, this approach proves ineffective with hard-core criminals, as they are impervious to the fear of punishment.

The prominent supporters of Deterrent theory involves; Thomas Hobbes (1588-1678), Cesare Beccaria (1738-1794), Jeremy Bentham (1748-1832). These social contract thinkers provided the foundation of modern deterrence in criminology (Ellis, 2003).

Preventive Theory

Unlike deterrent theory seeks to impart gradually fear to curb crime, the preventive theory focuses on averting crime by incapacitating the offender, such as through the death penalty or imprisonment. The preventive approach operates through three mechanisms: instilling fear in potential wrongdoers, rendering the offender incapable of committing further crimes, and transforming the individual through rehabilitation to prevent future criminal acts. These methods aim to address and eliminate criminal behaviour, contributing to a safer society. Utilitarian's such as Bentham, Mill and Austin of England supported the preventive theory of punishment due to its humanizing nature (Mondal, 2021).

Reformative Theory

According to this perspective, crimes typically arise from a clash between the criminal's character and motive. The theory suggests that individuals may engage in criminal behaviour either due to the compelling nature of the motive or the weakened restraints of their character. The reformative theory views punishment as more of a remedy than a deterrent. It likens crime to a malady, emphasizing that it cannot be resolved through elimination but rather through a medicinal approach, employing the process of reformation to address and treat the underlying issues.

Thinkers like Cesare Beccaria, Mahatma Gandhi, Jeremy Bentham, Justice Krishna Iyer and others supported reformative theory (Thakur, 2010).

Retributive Theory

Retribution, in essence, entails holding the wrongdoer accountable for their actions. However, the

state deems it necessary to inflict punishment on the offender as a deterrent against personal vendettas. This perspective advocates reciprocating evil with evil, following the principle of "an eye for an eye" as a form of natural justice. The retributive theory overlooks the root causes of crimes and fails to address their removal. It disregards the possibility that the criminal may be as much a victim of circumstances as the original victim, potentially perpetuating violence within prison environments.

Immanuel Kant is a prominent thinker of the retributive theory of punishment along with Hegel, Murray N. Rothbard and others (Bedau, 1978).

Expiatory/Compensatory Theory

The term "Expiate" signifies making complete atonement, satisfaction, or reparation, rooted in moral principles. According to this ideology, an offender's self-expiation or repentance serves as punishment, warranting forgiveness upon fulfilment. The theory emphasizes compensating victims for losses incurred, fostering the offenders' awareness of the inflicted suffering. In this framework, wrongdoers are accountable for restitution, while the State must protect citizens or provide compensation if unable to do so. This approach echoes ancient Indian criminal law, where expiations included mantras, fasting, self-immolation, or even self-burning as forms of punishment.

Hagal & Kohler are the main supporters of this theory (Neelam, 2018).

Human Rights are a dynamic concept. It is most commonly referred to as Fundamental Rights or Natural Rights. The significance of Human Rights is derived from its name itself, rights that are necessary to protect human lives. The cost of compromising such rights would be the death of human lives.

Further there are two approaches to understanding the concept of Human Rights: The Philosophical Approach and the Pragmatic Approach.

Philosophical Approach

Theory of Natural Rights

As the name suggests, Natural rights are inherent to human life, emerging with birth and stemming from human authorship of nature. These rights, essential, intrinsic, and unalienable, transcend gender, caste, colour, and creed. Upholding the foundational legal principle of equality, they assert that all individuals are equal before the law, immune to unjust treatment. John Locke championed this theory,

contending that natural rights, bestowed by nature, are beyond the reach of the state to revoke. Such rights empower individuals to assert themselves universally, with any oppression or discrimination constituting a direct violation of human rights.

Theory of Social Rights

The Social Welfare Theory, also recognized as the Social Expediency Theory, aligns with utilitarian ideals mastered by figures like Bentham and Mill. Central to this theory is the principle of 'the greatest happiness of the greatest number,' serving as the foundation for state interventions. Utility, gauged through reason and experience, guides the establishment of socially desirable laws, customs, and traditions. This approach emphasizes sacrificing individual rights for the collective welfare, deeming it a noble pursuit essential for addressing social injustice.

Theory of Legal Rights

In contrast to the natural rights theory, the legal rights theory posits that rights gain recognition and enforcement only when acknowledged by the State. Advocates like Jeremy Bentham and Austin contend that the State, being better equipped, should regulate human rights to safeguard people's interests. Critics argue that relying solely on State-created rights overlooks inherent natural rights, risking potential legal tyranny. They emphasize the importance of referencing primitive laws and customs to avoid restrictive legal frameworks and maintain a balanced approach to rights enforcement.

Theory of Historical Rights

History reveres tradition, accentuating the importance of customs in societal evolution. Societal shifts necessitate recognition of enduring customs, rooted in the historical rights originating from individuals' inherent entitlements. These rights, bestowed across generations, metamorphose into entrenched customs and rituals, becoming integral to the collective consciousness. Over the years, people have stuck to Historical Rights with strong loyalty. This shows how traditions are tough and influence societies for a long time. Historical Rights act like proof of how tradition remains strong, molding the way societies work with their lasting impact.

Theory of Economic Rights

Karl Marx's theory underscores the intricate interplay between a nation's structure and its operations.

Central to this perspective is Marx's argument that the State functions as an apparatus wielding control over societal interests and safeguarding individual rights. This theory's significance lies in shaping legal obligations based on economic power distribution, establishing a robust connection between economic and political frameworks. Marx envisions a classless society for the unhindered flourishing of rights, advocating equality and the eradication of rights exploitation— over the years, people have stuck to Historical Rights with strong loyalty. This shows how traditions are tough and influence societies for a long time. Historical Rights act like proof of how tradition remains strong, molding the way societies work with their lasting impact.

Pragmatic Approach

This approach to human rights operates on a foundational principle, referencing a network of institutions that shape and refine the fundamental theories underlying human rights. These theories serve as the bedrock for an intricate web of provisos, laws, and regulations on a global scale. The Universal Declaration of Human Rights and the International Covenant stand as pillars in this framework, embodying the universal aspirations for human dignity. Regionally, specialized treaties like the European Convention on Human Rights, the American Declaration, and the African Charter further tailor these principles to distinct contexts. Beyond overarching agreements, subsidiary treaties emerge, addressing specific human rights with meticulous detail. This approach ensures that states bear precise obligations, especially vital in intricate scenarios where human rights violations demand nuanced solutions. By delineating rights into comprehensive categories, this system fortifies the global commitment to safeguarding human dignity, offering a blueprint for addressing multifaceted challenges in the realm of human rights (Madhani, 2020).

OPERATIONALIZATION OF CONCEPTS:

Rights: Rights are legal, social, or ethical principles of freedom or entitlement; that is, rights are the fundamental normative rules about what is allowed of people or owed to people according to some legal system, social convention, or ethical theory.

Human Rights: Human rights are moral principles or norms for certain standards of human behaviour and are regularly protected in municipal and international law.

Prison: Prisons are meant to be a reformatory institution where people are imprisoned as punishment

for their crime and for the reformation to reintegrate in the society.

Prisoners': Prisoners' are the people who are confined in the prison.

Under-trial: An under-trial is a person who is currently on trial or is imprisoned while awaiting trial. The term also includes people who are in judicial custody during investigation.

Convict: A convict is a person who has been found guilty of a crime and is serving a sentence in prison.

Detenue: When the police officer or any other authority or any individual hold or detain an individual or group of persons under the suspicion of an illegal act but does not charge then with the crime is known as the Detention.

STATEMENT OF PROBLEM

The on-going study reveals a pervasive infringement of prisoners'' rights in Indian jails, a profound concern resonating globally. Sadly, the grim reality persists that prisoners' endure human rights abuses daily, irrespective of geographical location. Instances of inhumane treatment, harassment, and humiliation by both officials and fellow inmates are widespread. Essential needs like healthcare, food, clothing, and bedding are inadequately met, exacerbated by overcrowded, unbearable living conditions. This predicament transcends economic boundaries, affecting even the wealthiest nations. Regrettably, the current scenario often results in prisoners' emerging more damaged and entrenched in criminal behaviour. Urgently, society, policymakers, and law enforcement must earnestly address prisoners' rights, not just as a legal obligation but also as a humane imperative. The prisons of Uttar Pradesh are plagued with the menace of overcrowding, inadequate sanitary facilities, lack of physical and mental activities, lack of decent health services and medical facilities, which in turn raises the risk of health issues. Further, the slow progress of the investigation, trial, and hearing of appeals in cases pending against them especially in the case of under trials add to the woes of the prisoners. Thus, there is an urgent need to study prisoners' not just in respect to specific gender but community as a whole about their lives behind the four walls and about their rights. Therefore, after the consideration of all points the researcher has decided to choose the topic **Rights of Prisoners': Case study of Agra District and Prayagraj District of Uttar Pradesh.**

IMPORTANCE OF THE STUDY

The prison system in India requires more substantial reforms to address these challenges and ensure humane living conditions and opportunities for rehabilitation. While initiatives like the Model Prison Manual and innovative programs in some states have marked a positive step forward, there needs to be more investment in resources and staffing to adequately support the prison system. It is imperative for the government to prioritize the rehabilitation and well-being of inmates in its ongoing efforts to improve the prison system in India. There have been considerable advancements in improving the prison system over the years, but there is still a need in the existing system for the rehabilitation and reformation of the prisoners'. The absence of a reformative approach in the Indian prison system has not only resulted in ineffective integration with society but also has failed to provide productive engagement opportunities for prisoners' after their release. The state of prison management and the condition of the prisoners' lodged in the various prisons of Uttar Pradesh are no exception to the dismal state of affairs of prison management practiced throughout the country. Therefore, it becomes pertinent to undertake a thorough investigation into the various aspects, concerning the issues of human rights abuse of prisoners', improper management of prison facilities across the country and especially in the state of Uttar Pradesh, and the sheer lack of measures being implemented to facilitate the rehabilitation of prisoners' lodged in various prisons across the nation and the state in particular. Therefore, the proposed study will stimulate the policymaker towards a better version of prison reformation to develop the society in particular and country in general. Being the one of the most concerned community of society, the study will help government and policy makers to frame further laws and policies to improve the condition of prisons and will also encourage future researchers to conduct studies in the same sphere.

LITERATURE REVIEWS

Bhusan (1970) provides a comprehensive and insightful examination of the state of prisons and correctional facilities in India. This work offers a critical analysis of the administration, management, and the challenges faced by the Indian prison system. The author explores the historical evolution of prisons in India, shedding light on their development and the social and legal frameworks that govern them. One of the book's notable aspects is its focus on the rights of inmates and the conditions within these institutions. He explores issues related to overcrowding, healthcare, and the rehabilitation of

prisoners', addressing the human rights concerns that have garnered significant attention in recent years. Furthermore, the author scrutinizes the effectiveness of various rehabilitation and reform programs aimed at reducing recidivism rates. His book is an essential resource for scholars, policymakers, and practitioners interested in understanding and improving the Indian prison system. It underscores the need for reform and highlights the complexities surrounding the administration of prisons in a diverse and populous nation like India. Bhusan's work acts as a catalyst for meaningful change and serves as a vital contribution to the field of criminology.

Sharma (1983) in his book delves into the intricate interplay of practical aims and theoretical underpinnings within the realm of criminal justice administration. A central theme of this work is the stark portrayal of the deplorable conditions prevalent in Indian prisons. Despite this grim reality, the author emphasizes the profound responsibility that prison administrators bear. They are tasked with the delicate balancing act of upholding the traditional role of custody-oriented management while embracing the modern imperatives of correction and social rehabilitation. In line with this perspective, the author advocates for several key reforms. These include the establishment of new federal correctional facilities to alleviate overcrowding and improve living conditions, the revision and modernization of prison manuals to align with evolving standards, and the enhancement of overall jail administration. Furthermore, the author underscores the importance of fostering innovation within the Juvenile Bureau of Police, recognizing the pivotal role it plays in the reformation and guidance of young offenders. Through these propositions, the book provides a comprehensive exploration of the multifaceted challenges and opportunities within the Indian criminal justice system.

Roy (1989) delves into the intricate relationship between prisons and the broader societal context. Roy's comprehensive analysis provides a nuanced understanding of the multifaceted impact of incarceration on individuals, families, and communities. By examining the historical development of prisons, the author sheds light on how these institutions have evolved over time and influenced social norms and attitudes towards crime and punishment. The book critically explores the effectiveness of rehabilitation programs within correctional facilities and their role in reducing recidivism. Additionally, Roy delves into the challenges of reintegration faced by ex-prisoners' upon release and the consequent implications for social cohesion. Prison and Society is a vital contribution to the field

of criminology and provides valuable insights for policymakers, scholars, and practitioners alike.

Covington (1998) emphasis on the model of treatment of women prisoners' and found that the number of women prisoners' for drug convicts, were increasing rapidly. He identified that not every prisoner need to be imprisoned, some prisoners' might be treated better in the community, because of that the problem of overcrowding can be minimize. He states that women were responsive to the programs and commit less crime in comparison to male prisoners' and he explained that in prison there was no facilities for women prisoners' to overcome the addiction of drug abuse and disease. He found the wide gap between the facilities described by the judicial system for the prison with the actual prison system. There was lack of educational, recreational, medical facilities for women prisoners'. He also did not find any trained staff for the treatment of drug abuse.

Pachauri's (1999) "Prisoners' and Human Rights" critically examines the intersection of incarceration and human rights in New Delhi. This literature provides a comprehensive review of the challenges faced by prisoners', addressing aspects like healthcare access, fair trials, protection from torture, and international standards. Focused on the Indian context, Pachauri discusses the conditions of prisons, emphasizing the implications of overcrowding on inmate well-being. The book also evaluates the role of international organizations and legal frameworks in safeguarding prisoners' rights. Serving as a valuable resource, it contributes to the discourse on balancing punitive measures with the imperative to uphold the dignity of incarcerated individuals.

Roy (2003) gave information on the structure and management of prison administration in India in his paper 'Jail Reforms in India: A Review.' The article sheds light on the issue of overcrowding, maltreatment, lack of basic facilities, mismanagement of rehabilitation, and inhuman actions of prison officials based on various case studies and the NHRC report. The writer addressed measures taken in India to improve prison administration and referred to case studies of Tihar Jail, Madhya Pradesh, Uttar Pradesh, West Bengal, Tamil Nadu, and Karnataka following the Delhi Prisons Act, 2000.

Cronkhite (2008) in his comprehensive research, the author meticulously examines the core components of the criminal justice system, encompassing law enforcement, the courts, and correctional systems. Employing a theory-to-application methodology, this text delves into the multifaceted processes, challenges, and protocols encountered by contemporary criminal justice

managers. The research is systematically organized into three distinct sections, each offering unique insights. The first part delves into the historical evolution of conventional administration theories, shedding light on their origins and their continued relevance in the modern context. These historical underpinnings provide an essential foundation for understanding the contemporary state of criminal justice management. In the second part, the author expertly bridges the gap between traditional theories and their practical application in the current administration of criminal justice, offering valuable perspectives on how these theories have evolved and adapted to meet the complex demands of the present day. Lastly, the third part of the research explores the potential transformations and challenges that lie ahead in the 21st-century administration of criminal justice, highlighting the need for innovative strategies and solutions to address the ever-evolving nature of crime and justice management.

Sirajudeen (2008) observed that the prison occupies the most important position in any society. An unchanged issue in India was the law governing the prisoners' from the moment of their arrest until the release either from the police or from the prisons. Although there are several legal decisions available on detention, remand, parole, punishment, etc., there was no clear legal opinion on prisoners' rights and the issue related to incarceration, prisoner treatment, release, and aftercare. With this in mind, in his excellent writing, the writer has gone through the law concerning prisoners' from the moment they were charged before they were released either from police custody or from jail, i.e. detention, remand, bail, punishment, execution of sentences like set-off, amnesty, parole, clemency, pardon, and jail rights. In the correct locations, the author has incorporated judgments not only of the High Courts of various States and the Supreme Court in India but also of international courts with approximately 1400 case laws in all.

Kamalakar (2009) extensive exploration of human rights within the Indian legal framework covers a wide spectrum of fundamental rights and legal provisions. It also carefully analyzes critical aspects such as the right to a fair trial, emphasizing the importance of due process and the protection of individuals against unjust legal proceedings. The examination of the right to freedom from double punishment underscores the need to prevent excessive or arbitrary penalties imposed on individuals. Additionally, the author also explains the right against self-incrimination, a fundamental principle

ensuring that individuals are not compelled to testify against themselves, preserving their right to remain silent. The right to life and freedom, essential to human dignity, is scrutinized within the context of protecting individuals from arbitrary detention, promoting the right to bail, and preventing torture. The right to speedy justice, plea bargaining, legal assistance, and compensation represent essential components of a fair legal system, and their analysis reflects the commitment to upholding these principles. The Defense of Human Rights Act, 1993, underscores the legal framework's evolution in addressing human rights issues. The historical roots of prisoners'' rights, as traced back to the Prabhakar Pandurang case in 1960 and subsequently expanded upon in the Sunil Batra cases in 1978 and 1980, demonstrate the evolving nature of human rights protection through judicial activism. This multidimensional approach reinforces the importance of safeguarding the rights and dignity of all individuals within the legal system.

SAHRDC (2011) article, titled "Prison Reform in India," conducts a thorough critique of Mahuya Bandyopadhyay's seminal work, "Everyday Life in a Prison: Confinement, Surveillance, Resistance." Commending Bandyopadhyay's fine analysis, the review recognizes the significant contribution of the book to the discourse on prison reform. It underscores the author's meticulous examination of confinement, surveillance, and resistance, providing a comprehensive understanding of prison life in India. The review applauds Bandyopadhyay's ability to humanize the incarcerated by exploring the profound impact of imprisonment on personal identity. The intricate interplay between confinement and individual experiences is acknowledged as a key strength. Additionally, the review highlights the insightful exploration of surveillance dynamics within the prison context, offering valuable insights into power dynamics. The article emphasizes the significance of Bandyopadhyay's analysis in fostering a comprehensive understanding of prisoners'' challenges and their human rights implications. Furthermore, it acknowledges the author's efforts to move beyond exposing oppressive conditions, focusing on instances of resistance within the prison environment. By shedding light on acts of resilience, the book not only documents harsh realities but also provides a constructive lens for envisioning potential avenues for reform. The review lauds Bandyopadhyay's work for its depth of analysis, humanistic approach, and its potential to stimulate meaningful discussions on reforming the Indian prison system.

Devi (2012) addressed fundamental rights enshrined in the Indian Constitution to protect Indian people from State's misuse of powers. Nevertheless, the state authorities still ignore essential constitutional requirements for the preservation of law and order and commit violations of human rights. The book looks critically at the criminal justice system in India, drawing on the Supreme Court of India's interpretations. It also analyzes new arrest and detention rules, as well as the constitutional validity of disciplinary steps. Important problem areas have also been discussed, such as low conviction rates, neglect of prosecution authorities, an outdated justice system, and indiscriminate application of laws on arrest and detention. The volume addresses the importance of procedural protections against the state's arbitrary actions, in the light of constitutional provisions.

Tiwari (2013) addressed how prisons are a vital human rights environment. The imprisonment sentence does not only mean deprivation of liberty, which is the most basic of all human rights but also imposes limitations on the individual's life and personal freedom. When a person is imprisoned and the state controls his/her life, he/she is in danger of enduring human rights violations. Besides the stigma associated with incarceration, there is a general mentality towards inmates who are not deemed eligible for the same security as other members of society. Given that the poor and people from disadvantaged parts of society are still over-represented in the prison population, with little intervention to protect their human rights, they are especially vulnerable to violence. The research also addressed the human rights system in the prison environment for the enforcement of human rights and analyzed objectively the problems and difficulties faced by the prison authorities in the successful application of the prison management approach to human rights.

Ross (2013) through the viewpoint of prisoners' and prison personnel, the author has addressed the numerous health and medical problems that occur or are brought into prisons. Prison health and safety promotion brings crucial problems in prison treatment into a historical context and explores the drivers of current policy. This also discusses critical legal concerns relating to wellbeing in prison environments, as well as the civil rights ramifications and problems that occur. The book provides a valuable framework for in-prison health education and a guide for implementing systemic, policy and health-related reform based on the UN Health in Prisons program, as well as a special chapter on mental health issues. This is an invaluable guide for all those interested in prison healthcare offering a

detailed and thought-provoking summary of health promotion problems with correctional environments.

Barman, et al. (2013) in the research paper, titled "Human Rights in India: Issues and Perspectives," critically addresses the crucial theme of safeguarding human rights across diverse societal levels. It unequivocally asserts that the infringement of human rights constitutes a criminal act within society. Central to its exploration is the pivotal role played by the United Nations (UN), notably its seminal contribution in December 1948 through the adoption of the Universal Declaration of the Rights of Man. This foundational document serves as a global standard, emphasizing the imperative to protect and uphold the inherent rights of every individual. The volume delves into multi-level issues and perspectives surrounding human rights in the Indian context, shedding light on challenges and potential solutions. By emphasizing the UN's pivotal role in establishing a comprehensive framework for human rights protection, the paper underscores the significance of international cooperation in addressing and preventing human rights violations. This research serves as a vital resource, fostering a deeper understanding of the intricate dynamics involved in the pursuit of human rights in India and on a global scale.

Unnithan (2013) work offers a comprehensive and insightful examination of the complex landscape of crime and justice within the Indian context. He explores the various dimensions of criminal behavior, its causes, and the intricate web of social, economic, and cultural factors that underpin criminal activities in India. The book scrutinizes the Indian criminal justice system, exploring its strengths and shortcomings, and delving into issues of access to justice, fairness, and efficiency. Unnithan's analysis encompasses a wide range of topics, from the impact of colonial legacies on the Indian justice system to the challenges posed by rapid urbanization and globalization. It sheds light on the evolving nature of crimes, including cybercrimes, and their implications for legal and law enforcement frameworks. The book provides a valuable resource for scholars, policymakers, and practitioners in the field of criminology and criminal justice. Unnithan's work not only offers a deep understanding of the Indian criminal justice system but also contributes to the broader discourse on crime and justice in a diverse and dynamic society like India.

Keeney, et al. (2014) in their article addresses the Universal Declaration of Human Rights and the

imperative of treating all individuals equitably, free from any form of bias. The author undertakes a comprehensive examination of literature, delving into human rights within the framework of the UDHR, as well as other international human rights standards and the ethical guidelines governing the field of social work, both generally and within the United States. Employing a descriptive research design, the study draws upon a sample collected over a span of four months. The investigation centres on approximately 22 codes of ethics, accessible online via the International Federation of Social Workers' website. Notably, a limitation emerges as 7 out of the 20 codes required translation, potentially introducing misinterpretations. Additionally, the research is potentially influenced by a concentration of US-based researchers, possibly resulting in biased data. The article's conclusion asserts that the majority of the examined codes of ethics incorporate human rights principles, though 5 codes do not. Aligning with the author's stance, the researcher agrees with the view that the equitable treatment of all individuals in accordance with the UDHR's principles is imperative.

Mugali (2014) in his article delves into the concept of human rights as inherent and essential entitlements for every individual. The discourse centers around the profound significance of human rights over the past five decades, with a specific focus on their critical pertinence to developing nations like India. The initial segment of the article offers a general overview of human rights, segueing into a comprehensive exploration of their definition and essence. Subsequently, the narrative traces the evolutionary trajectory of human rights, examining various interpretations of these rights, the catalysts that prompted the establishment of the Human Rights Act of 1993, and the formation of the National Human Rights Commission. Furthermore, the author delves into the intricate relationship between human rights and fundamental values such as liberty, equality, dignity, justice, morality, and ethics. The discussion also encompasses an analysis of the significance of human rights education and its underlying objectives. Ultimately, the article culminates in the assertion that human rights form the bedrock of holistic human development and the fulfilment of societal expectations. The researcher concurs with the author's perspective, underscoring that human rights constitute indispensable prerequisites for the comprehensive advancement of individuals.

Saryal (July, 2014) by way of his paper discusses about rights of women in India in a male dominated society and the problems faced by women in a country like India such as female

infanticide, female feticide, dowry and sale of girl. The objective of this article is for planning and strategizing empowerment of women so that they are treated equally with men. The author has bifurcated the article into four parts whereas the first part deals with violations of human rights of women in India which includes death due to dowry demand, female infanticide, female feticide, old practices of child marriage, sati, preference of son over daughter, not educating the girl child, harassment of females at workplace, rape, and molestation. The second part of the article deals with how the human rights of the women are protected by the Constitution of India by guarantying certain rights in various articles of Constitution they are Article 42 and 51-A. The third part deals with strategies developed by government and society to empower women. The author has come to the conclusion that the development and empowerment can be done only after traditional practices are eliminated only then empowerment of women can be done in true sense. It could be agreed with the author that development can be done only if traditional practices are not followed.

Shaik (2014) discusses about the Prisons in India in general. The author by way of this article discusses about Prison administration and management that it is matter which is included in the State list in Seventh Schedule of the Indian Constitution. The author discusses the International obligations, treaties, guidelines, Prison Act, 1894, Mulla Committee, Iyer Committee. It discusses some problems that are relevant to India like overcrowding, unsatisfactory living conditions, corruption and extortion, poor training, shortage of staff, Poor Prison Programs, welfare inequalities, poor health care, lack of legal aid, abuse of prisoners'. The author by way of this article has come to the conclusion that there is a need to reform law and legal aid to the needy prisoner. The researcher is of the view that there is a grave and dire need for monitoring Prison administration.

Blake & A. (2014) in their book "Human Rights and the Criminal Justice System," offers a comprehensive exploration of the intersection between human rights and the contemporary criminal justice system. The authors underscore the significance of human rights not only in the context of international governance and social justice but also in their increasing influence on the language of religion within modern moral discussions. Their work delves into pressing issues, such as extremism, race, and prisoner rights, shedding light on the ongoing challenges faced by the criminal justice system. Moreover, the book scrutinizes current legal systems, court procedures, and the evolving

landscape of literature in disciplines like Criminology, Law, and Political Science. In doing so, it critically examines the dynamic relationship between the burgeoning field of human rights theory and its practical application within the criminal justice system. Amatrudo and Blake's work serves as a valuable resource for scholars, policymakers, and anyone interested in understanding the intricate interplay between human rights and the criminal justice system.

Shukla (2015) in his article delves into the significance of Article 21 within the Constitution of India, exploring its pivotal importance and the array of rights encompassed within it. The focal point is on a recent legal case arising from an appeal dismissed by the highest court in the land, resulting in the commutation of a wife petitioner's death sentence. Essential issues are dissected, both in terms of their relevance and impact. The article not only scrutinizes the aforementioned aspects but also ventures into the global perspective, particularly examining the right to conjugal life. The concept of "extended family visits" or conjugal visits initially associated with countries such as the United States and Saudi Arabia surprisingly extends to nations like India, even within the Muslim framework. Within the narrative, the author underscores the substantial contribution of various committees in safeguarding the rights of prisoners'. Through a comprehensive exploration, the article ultimately concludes that individuals, whether they are convicts, under-trials, or detainees, are entitled to the full spectrum of rights enshrined in the Indian Constitution's Fundamental Rights section. Personally, the researcher concurs with the author's viewpoint, as the Constitution indeed furnishes numerous rights to incarcerated individuals, a stance well-supported by the presented analysis.

Gupta & Singh (2016) in their book, "Human Rights of Prisoners' in India," the authors examine the concept of the right to a speedy trial, framing it as an integral component of a prisoner's right to life and personal freedom, as enshrined in Article 21 of the Indian Constitution. This constitutional provision ensures the provision of fair and just trials. India's Supreme Court has vigilantly safeguarded prisoners'' human rights, offering a comprehensive and generous interpretation of the right to life and personal freedom. The authors draw attention to a significant concern - the plight of under-trial prisoners' who, despite facing legal proceedings, lack the means to mount a defence and have no access to legal aid. Consequently, they languish in detention for extended periods, constituting a grave violation of their human rights. This protracted incarceration undermines the

fundamental principles of justice and equity. In essence, the authors' analysis underscores the imperative for India's legal system to redress these injustices and ensure that the rights of under-trial prisoners' are upheld in accordance with the Constitution and international human rights standards.

Kuchy, et al. (2016) in their article primarily focuses on the issue of human rights in India and the concerning instances of their violation. Moreover, the authors delve into the far-reaching consequences of these rights infringements, particularly in terms of the threat they pose to the stability of democracy in the country. The article also explores the realm of human rights education, shedding light on its necessity and significance. It is pointed out that numerous universities have embraced the integration of human rights education into their academic curricula, including programs such as L.L.B and L.L.M. This evolution has been facilitated by the contributions of organizations like NCERT and UGC, which have been instrumental in the development and promotion of human rights education throughout India. The authors advocate for the incorporation of human rights education into various educational aspects, including textbooks, educational policies, reading materials, and school curricula. This sentiment resonates with researcher's perspective, as it concurs with the author's assertion that the infusion of human rights education into the Indian educational system is a crucial step towards fostering awareness and respect for these fundamental principles.

Iqbal & Vasudha (2016) in their article explores the concept of prisons as a means of correctional intervention. Initially designed for the secure confinement of inmates, the primary focus has evolved over the years to encompass the protection of fundamental human rights. The author delves into the constitutional perspective on human rights, emphasizing the importance of safeguarding rights such as freedom of speech and expression within correctional facilities. Additionally, the article examines the judiciary's role in upholding human rights, advocating for fast-track trials, preventing custodial torture, and ensuring access to legal aid, including government-funded representation. Ultimately, the author's conclusion underscores the necessity of humane treatment for prisoners'. To achieve this, the author proposes the establishment of a monitoring system and facilitating communication with families. The researcher agrees with the author's perspective that while prisons serve as correctional institutions, it is imperative to treat inmates with compassion and respect for their basic human rights.

Chandra, et al. (2017) in their scholarly work dives into the critical and evolving realm of prisoners'

rights within the context of the criminal justice system. Their comprehensive review is a seminal contribution to the field, offering a thorough examination of the legal, ethical, and societal dimensions surrounding the treatment and entitlements of individuals incarcerated in penal institutions. The authors meticulously explore the legal foundations and precedents that underpin prisoners' rights, highlighting the evolving landscape of constitutional protections and international human rights standards. Their analysis studies essential aspects, including the right to humane treatment, healthcare, and access to legal representation, shedding light on the challenges and limitations faced by incarcerated individuals. Furthermore, the authors evaluate the practical implementation of these rights and the associated complexities, making this work an invaluable resource for scholars, policymakers, legal practitioners, and advocates concerned with the safeguarding of prisoners'' rights. "Prisoners' Rights" offers a critical and holistic perspective on the ongoing struggle to ensure justice and dignity for those behind bars, making it a seminal reference in the field of criminal justice and human rights.

Dhanuka & Basu (2018) in their article presents a comprehensive and insightful assessment of the existing conditions of prisons in India. The authors shed light on the multifaceted challenges plaguing the correctional system, with a particular focus on issues such as chronic overcrowding, inadequate funding, and deplorable living conditions for inmates. Through meticulous research and analysis, the article highlights the detrimental impact of these challenges on prisoners' well-being and rehabilitation prospects. Moreover, the authors delve into potential avenues for reform, examining legislative changes that could address systemic shortcomings and promote more humane and effective approaches to incarceration. The article also explores the viability and potential benefits of community-based programs aimed at fostering reintegration and reducing recidivism rates. By addressing the urgent need for reform, this publication offers a significant contribution to the advancement of India's correctional system.

Jain & Tripathi, (April 2018) in their article studies the broader context of the prison system, with a particular focus on the educational aspects for inmates. The discourse encompasses an examination of the measures undertaken to enhance the correctional landscape in India, prominently highlighting prisoner education as a pivotal intervention. The inception of prisoner education initiatives in India

can be traced back to 2010 when the collaboration with the Indira Gandhi National Open University led to the introduction of a diverse array of courses catering to incarcerated individuals. Through meticulous analysis, the author arrives at the deduction that the pursuit of educating prisoners' constitutes a remarkably constructive stride, poised to yield enduring transformative effects. The article underscores the potential of education as a catalyst for prisoner rehabilitation. This viewpoint aligns with the perspective that facilitating education for inmates' stands as a judicious measure, one that holds the capacity to foster comprehensive prisoner reformation.

Kumar (2021) in his article, "Prisoners'' Rights in India: An Overview," provides a comprehensive examination of the legal landscape surrounding the rights of prisoners' in the Indian context. Through a judicious blend of legal analysis and empirical insights, he navigates the intricate web of constitutional provisions, judicial decisions, and international obligations that shape prisoners' rights. The article systematically elucidates key facets such as access to legal representation, humane treatment, and healthcare within the prison system. Dr. Kumar engages with the evolving jurisprudence on prisoners'' rights in India, offering readers a nuanced understanding of the legal precedents and challenges. Additionally, the article critically assesses the extent to which international human rights standards are integrated into India's legal framework concerning prisoners'. By presenting a comprehensive overview, his work serves as an invaluable resource for legal scholars, policymakers, and practitioners seeking to comprehend and advocate for the rights of individuals within the criminal justice system in India. The article not only informs the reader about the current state of prisoners'' rights but also prompts contemplation on avenues for improvement within the Indian prison system.

Crowhurst & Harwich (2022) in their report conducts an in-depth analysis of the hurdles encountered by the Indian penal system and puts forth suggestions for its improvement. The comprehensive report delves into concerns like the plight of under trials, the problem of overcrowding within prisons, and the issue of insufficient accountability. To address these challenges, the foundation recommends innovative approaches, including the adoption of alternative sentencing methods and the establishment of community-centered initiatives. By addressing these pressing issues and offering practical solutions, the report aims to pave the way for a more effective and just Indian

penal system. Through a thorough examination of the system's shortcomings and the provision of thoughtful remedies, the Observer Research Foundation aims to contribute to the enhancement of the Indian criminal justice framework.

The State of the World's Human Rights report by **Amnesty International (2023)**, serves as a stark reminder of the dire situation within Indian prisons. The document meticulously exposes the systemic problems plaguing these facilities, prominently featuring concerns over severe overcrowding that has led to deplorable living conditions for inmates. Furthermore, the report sheds light on the distressing lack of adequate healthcare services available to prisoners', amplifying the vulnerability of those already confined. Alarmingly, incidents of violence against inmates have also come to the fore, raising serious questions about the safety and dignity of those incarcerated. The report calls for immediate and comprehensive reforms to address these harrowing issues, emphasizing the urgency of safeguarding the fundamental human rights of prisoners'. Such reforms should encompass efforts to alleviate overcrowding, improve healthcare access, and implement measures to prevent violence and abuse within prison walls. It is crucial that the Indian authorities take heed of these findings and prioritize the protection and well-being of all prisoners', ensuring a more just and humane correctional system.

RESEARCH GAP

Post reviewing various related literature as discussed above; studies frequently scrutinize the rights of female prisoners', their male counterparts receive scant attention. Over the past two decades, Indian society has undergone significant transformation, yet the advocacy for men's rights remains disproportionately neglected, posing an escalating challenge. Though there are few studies which somewhere focused on male prisoners' or prisoners' in general but very rare beyond the year 2000 particularly in the instance of Uttar Pradesh. Rights of male in general too, have always received less attention since the beginning, so it is beyond the imagination when it comes to male prisoners'. What impressions they have of the jail system and of administrative officials. The above studies lack in respect of studying and analyzing prisoners' rights as a whole in the state of Uttar Pradesh; particularly in jails of Agra district and Prayagraj district. Thus, this study will try to fill the gap in the earlier work done on similar topic.

OBJECTIVES

1. To study the socio-economic and political status of prisoners' of Agra district and Prayagraj district of Uttar Pradesh.
2. To identify the rights of prisoners' in International Law.
3. To study and analyze the rights of prisoners' in National Law.
4. To explore and study the human rights practice in prison of Agra district and Prayagraj district of Uttar Pradesh.

HYPOTHESES

1. Socio-economic and political status of prisoners' of Agra district and Prayagraj district of Uttar Pradesh varies and is influenced by diverse factors.
2. Prisoners' rights are in compliance with the International Law.
3. National Law in Indian jails acknowledge prisoner rights, but is not well enforced and implemented.
4. Human rights practices in prisons of Agra district and Prayagraj district of Uttar Pradesh are not well practiced.

RESEARCH METHODOLOGY

The study will be based on both quantitative and qualitative designs of research and will be based on secondary as well as primary data collected through field survey. Besides the collection of field data, relevant literature would be consulted particularly, through literature surveys in various libraries, seminar proceedings, periodicals, journals, monographs, newspapers, and also Government reports and documents.

Research Design: The research design of the present study will be descriptive, analytical and exploratory.

Area of the study: The present study will be limited to exploring the rights of prisoners' of Agra district and Prayagraj district of Uttar Pradesh.

Universe of the study: For the study of the research, jails of AGRA district and PRYAGRAJ district are taken into consideration. **Agra** district with **4847** prisoners' (as of 02.12.2023) and **Prayagraj** district with **3331** prisoners' (as of 16.12.2023); total adding up to **8178** prisoners'.

Table 1: Sample Size

DISTRICT		Under-trials	Convicted	Detenues	**TOTAL**	**5%**
AGRA	District Jail	2547	207	00	2754	137.7
	Central Jail	63	1999	31	2093	104.7
PRAYGRAJ Central Jail		2208	1092	31	3331	166.5
TOTAL		4818	3298	62	**8178**	**408.9 (409)**

Sample Size: The data will be collected through random sampling method. The sample size will be 5% of 8178, i.e., 409 respondents.

Sampling Method: The data will be collected through random sampling method. Every 5th prisoner would be selected alphabetically.

Methods of data collection: The data will be collected through both primary as well as secondary methods.

Sources of Data Collection: The study will be based on both primary as well as secondary sources.

Primary Sources: The data of the study will be collected from the prisoners' of Agra district and Prayagraj district of Uttar Pradesh with the help of interview schedules. Data from various Government reports will also be taken into consideration.

Secondary Sources: Since the study is based on Rights of Prisoners', their advancement and implication with time, related literatures, newspapers, journals, research articles, books and information from other authentic sources will be taken into consideration.

Tools for data collection: Survey through interview schedule. The responses will be collected through hard copy.

Statistical Analysis: The data will be analyzed statistically through the information collected from primary as well as secondary sources. For this, the tabular form, listing form, pie charts, bar diagrams, etc. will be used in the proposed research.

TENTATIVE CHAPTERISATION

CHAPTER 1

- Introduction
- Theoretical Framework
- Operationalization of the concepts

- Statement of the Problem
- Importance of the Study
- Review of Literature
- Research Gap
- Objectives
- Hypotheses
- Research Methodology

CHAPTER 2

- Socio-Economic & Political Status of Prisoners'

CHAPTER 3

- Rights of Prisoners' in International Law

CHAPTER 4

- Rights of Prisoners' in National Law

CHAPTER 5

- Human Rights and Prisoners'

CHAPTER 6

- Conclusion and Recommendation
- REFRENCES

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